

BOARD OF PUBLIC WORKS AND SAFETY
MINUTES
January 19, 2016

Regular Session:

The Board of Public Works and Safety met in regular session on Tuesday, January 19, 2016 at 9:00 a.m. in the Common Council Chambers. Members present were: Gary Henriott, Cindy Murray, Dawn Ross, Norm Childress and Ron Shriner.

Jacque Chosnek, 1st Deputy City Attorney, was also present.

President Henriott called the meeting to order.

The Pledge of Allegiance was given to the flag of our Country.

MINUTES

Mr. Childress moved for approval of the minutes from the January 12, 2016 regular meeting. Mrs. Murray seconded. Passed.

NEW BUSINESS

Water Works

Contract with Wastewater Solutions, Inc.

Kerry Smith, Water Works Superintendent, presented to the Board and recommended approval of a Contract with Wastewater Solutions Inc. (WSI) in the amount of \$15,150.00. WSI will be providing continuing education training for 16 employees of Water Works who are certified through IDEM to treat and distribute drinking water in the State of Indiana. The training will occur May 4-6, 2016 and will keep the department in compliance with IDEM. Mrs. Ross moved for approval. Mr. Childress seconded. Passed.

Economic Development

Historic Demolition Permit-1418 Virginia Street

Dan Walker, Economic Development, presented to the Board and recommended approval of a Historic Demolition Permit for 1418 Virginia Street. Mr. Walker stated that the Historic Preservation Officer, Dann Keiser, recommended upholding the 60 day public waiting period. Mr. Keiser's review indicated that the demolition of this structure would not negatively impact the historic district. Mrs. Murray moved to uphold the 60 day waiting period. Mrs. Ross seconded. Passed.

CLAIMS

Mike Jones, Controller, presented for Board approval, Claims in the amount of \$2,182,596.35. President Henriott asked if there were any further questions and there were none. Mr. Childress moved for approval. Mrs. Murray seconded. Passed.

MISCELLANEOUS

Banner Request-Lafayette Catholic School System

President Henriott presented to the Board and recommended approval of a Banner Request for the Lafayette Catholic School System to hang a banner on Main Street from January 26-February 9, 2016. Mr. Childress moved for approval. Mr. Shriner seconded. Passed.

Taxi Cab License Permit

Police Chief, Patrick Flannelly, presented to the Board and recommended approval of seventeen (17) Tax Cab Permits. Chief Flannelly stated that there are three (3) new permits for Trent R. Haverkamp, David A. Parker and Charles Lewis. Chief Flannelly recommended renewal for fourteen (14) permits for Timothy Krout, Dennis Graves, Michael Lee, Christopher Cox, Marvin Sparger Jr., Benjamin Paxton, Debra Pellam, April Hester, Floyd Idle, Gary Barker, Chris Salinas, Charles Jackson III, Rodney Hester and Lester Chaney. Mr. Childress moved for approval. Mrs. Murray seconded. Passed.

The Board took a short recess at 9:07 a.m. until the Animal Control Appeal Hearing at 9:30 a.m.

The Board reconvened at 9:30 a.m.

Animal Control Appeal

Stinger Appeal

Mrs. Chosnek asked Animal Control Officer, Josh Klumpe, to walk through with the Board some of the incidents that occurred at 1411 Oak Court. Mrs. Chosnek stated that Animal Control has first contact with the animals on November 16, 2015. Mr. Klumpe stated that on November 16, 2015 two retriever lab dogs were running loose and one of the dogs apparently had bitten a victim on the back of the calf. That dog is named Shaggy. Mrs. Chosnek asked Animal Control Officer, Trent Baldwin, to review the November 16, 2015 incident with the first contact. Mr. Baldwin stated that he first made contact with the animals on November 25, 2015. The first initial call on November 16, 2015 was handled by Animal Control Officer Jenna Manuel, who is out today. Mr. Baldwin stated that when he received the call the dogs were acting in an aggressive manner but neither officer witnessed that behavior at that time. Mr. Baldwin then made contact with the victims where the victims explained that the dogs were attacking them but Mr. Baldwin was unable to see proof of any kind. Mr. Baldwin did see enough aggressive behavior to issue a Dangerous Animal Agreement for Shaggy and a Nuisance Agreement for Scooby. Mr. Baldwin stated that on his arrival both dogs were in the front yard of the property barking and growling. Mr. Baldwin stated that he approached the dogs to which they ran around the house in through the back door which was being propped open by something. Mr. Baldwin attempted to make contact with the owner for several minutes but the owner of the dogs was not home at the time. Mr. Baldwin stated that he tried to make contact at both the front and back door. One of the roommates finally came to the door. The roommate stated that he did not know that the dogs had gotten out of the house. Mr. Baldwin stated that at the point the back door was secured. Mr. Baldwin explained to the roommate what was happening and at that point Animal Control would have to seize the dogs. Both dogs were loaded into the Animal Control vehicle and taken to the Almost Home Humane Society (AHHS). Mr. Baldwin stated that upon arrival to the AHHS, Scooby was first taken into the shelter and secured in one of the kennels. Shaggy would not come out of the carrier in the back of the truck. Mr. Baldwin stated that he then used a 'catch pole' and securing it around the dogs' neck. As the dog came out of the truck the he slipped loose from the 'catch pole' and

escaped. Mr. Baldwin was unable to locate the dog. After making contact with Mr. Stinger, the dog's owner, it sounds like the dog ran immediately home and was secured within an hour and a half. Mr. Stinger stated that someone has come and gone from his house and left the back door open while he was at work.

Mrs. Chosnek confirmed with Mr. Baldwin that he was aware of the Dangerous Animal Agreement that was in place for Shaggy and a Nuisance Animal Agreement for Scooby when he responded to the call on November 25, 2015. As part of that agreement, both the owner signed it and acknowledged that if the animals are not kept secure and released again, the animals will be impounded and ownership rights would be terminated. Mr. Baldwin confirmed that information. Mrs. Chosnek confirmed that both animals ended up being returned to Mr. Stinger on November 25, 2015. Mr. Baldwin confirmed that information. Mrs. Chosnek stated that the next contact Animal Control had with Scooby was on December 16, 2015. Mr. Baldwin confirmed that information but stated that he was not the officer that responded to that call. Mrs. Chosnek asked Mr. Baldwin to give the Board an account of what took place during that call based on the information given by Officer Manuel who responded to the call. Mr. Baldwin stated that Scooby was out running loose but did not show aggressive behavior towards the officer. However Scooby running loose is a violation of the Nuisance Animal Agreement and the dog would need to be impounded. Scooby was loaded into the vehicle and taken to the AHHS. Mrs. Chosnek confirmed that Scooby was impounded and is still currently at AHHS. Mr. Baldwin confirmed that information.

President Henriott stated that both dogs are nuisance animal but the dangerous animal is still at home. Mr. Baldwin stated that his interaction with the dogs was Shaggy was the aggressor and Scooby just followed suit but was not deemed dangerous. President Henriott confirmed that the action of the Board today is not for Shaggy, the dangerous animal, but for Scooby the nuisance animal. Mr. Baldwin confirmed that information. Mrs. Chosnek noted that the call on November 25, 2016 there were citations issued to Mr. Stinger in the amount of \$300 for the dogs running at large and not being registered with the City. Mr. Baldwin confirmed that information as well. Mrs. Ross asked Mr. Baldwin if the dogs were registered with the City currently. Mr. Baldwin stated that they were not to his knowledge.

Phillip Stinger, 1411 Oak Court, stated that the day that Scooby got loose this last time his roommates had gone to the food pantry and he was at work. Scooby pushed a window fan unit out of the window and escaped. Mr. Stinger stated that no one was home at that time and didn't know he was loose. Mr. Stinger stated that he is on a disability check and was working to try and get off that assistance. Mr. Stinger stated that because of the issues that he has had with his dogs he quit his job and is trying to figure out what to do now. Mr. Stinger stated that he cannot count on his roommates to keep the dogs inside so he had to stop his job to stay home to keep his animals safe. President Henriott asked Mr. Stinger what the status of the fence being built that Mr. Stinger made reference to in his appeal letter. Mr. Stinger stated that he has lines marked, has a lot of the wood and is currently trying to get the money for the posts. Mr. Stinger stated that he is an ex-foster kid and these dogs are his only family. Mrs. Murray asked how old the dogs were and if they were altered. Mr. Stinger stated that both of the dogs are two (2) years old and they are both altered. Mr. Shriner stated that if anyone has ever owned a dog they know that animals are expensive.

President Henriott stated that the problem is that these dogs have gotten out and the more aggressive dog, Shaggy, has bitten a kid. Mr. Stinger stated that these are indoor dogs that get taken outside to go do their business. There is a runner cable in the backyard that they go out on when they are out by themselves until the fence gets put in. Mrs. Murray stated that one of the violations on the citations was a large amount of dog feces in the yard. Mr. Stinger stated that he made the Animal Control Officers aware that because of his roommates' inability to control the dogs; the dogs were not being taken out as much and were placed in a kennel room in the house. The roommates were then throwing the feces from that room into the backyard in a pile. Mrs. Murray asked if the feces had been picked up. Mr. Stinger stated that it has been too cold to be outside to pick it up. President Henriott asked if Mr. Stinger still had the same roommates. Mr. Stinger stated that Terry and Belle are still living there but he has kicked everyone else

out. Mr. Stinger stated that he is the primary lease holder of the property. Mr. Shriner asked if Mr. Stinger has permission from the home owner to put up a fence. Mr. Stinger stated that he does have permission. Mr. Shriner stated that these are hard things for the Board to hear but there are also realities about the expenses involved. Mr. Shriner stated that Mr. Stinger expressed to the Board that he is not able to work because of the situation and that will be the same issue with Mr. Stinger's ability to get the dogs secured in the yard. Mr. Shriner commented that this is not a good situation for Mr. Stinger or his dogs. Mr. Stinger explained his financial situation to the Board.

Mr. Klumpe reminded the Board that Shaggy is still at home which is the dog that was deemed dangerous; while Scooby, the nuisance animal, is the one in the shelter currently. Mr. Childress asked Mr. Klumpe what the ultimate fate of Scooby will be if it is not returned to Mr. Stinger. Mr. Klumpe stated that Scooby will go through a 'temperament exam' and health exam then be put up for adoption. Mr. Klumpe stated that he has two (2) issues with the situation; one being the condition of the backyard because of the feces and the other issue is that the surrounding neighbors are sick and tired of the dogs running loose. Discussion ensued. Mr. Klumpe stated that this point Mr. Stinger has not shown the maturity to keep the dogs inside. Mr. Klumpe stated that back on November 16, 2015 Animal Control had received a call from the neighbor stating that the dogs were loose the night before also. Mr. Baldwin and Mr. Klumpe then went to the house and spoke to Terry, one of the roommates, and told him that if Animal Control catches the dogs loose one more time the dogs will be impounded. Mr. Klumpe stated that Animal Control was called back there an hour later for Scooby running loose. Mr. Klumpe stated that is when Scooby broke through the window unit and got loose. At that time Shaggy was secured in the back porch area and made sure that he could not get out. During this call is when Mr. Klumpe noticed the condition of the backyard.

Mr. Childress brought up the idea of having a conditional judgement is appropriate or not but suggested that if Mr. Stinger cleans up the yard and builds the fence then Scooby could be returned. Discussion ensued. Mrs. Chosnek stated that if the Board decides to place conditions on the approval, there needs to be a timeframe for Mr. Stinger to follow. Discussion ensued. Mr. Shriner moved to deny the appeal. Mrs. Murray seconded. Passed. Mr. Childress abstained.

Time: 9:55 a.m.

BOARD OF PUBLIC WORKS AND SAFETY

Gary Henriott s/s
President

ATTEST: Mindy Miller s/s
Mindy Miller, 1st Deputy Clerk

Minutes written by Mindy Miller, 1st Deputy Clerk

*A digital audio recording of this meeting is available in the Lafayette City Clerk's Office.

City of Lafayette

Permit List for the Week 1/10/2016 to 1/16/2016

Permit/ Application #	Permit Issued	Owner/Issued To	Address	Description	Sq. Footage
2016-00022508	1/11/2016	KARA M GOOTEE-ROBINSON	1704 TEAKWOOD CT	Residential Interior Remodel	476.00
	Residential		Lafayette, IN		
Status:Permit Issued	Contractor:		Estimated Value: \$5,000.00		
2016-00022509	1/12/2016	4729 Meijer Court LLC	4729 MEIJER CT	Commercial Bldg - Wings Etc.& white box	5800.00
	Commercial		Lafayette, IN		
Status:Permit Issued	Contractor: RenCon Services Inc		Estimated Value: \$940,000.00		
2016-00022510	1/12/2016	UNIFAC 2 LLC	2 EXECUTIVE DR	Event Sign - LAKEWOOD FAMILY DENTAL	
	Event Sign		LAFAYETTE, IN 47905		
Status:Permit Issued	Contractor:		Estimated Value:		
2016-00022511	1/13/2016	VP PACK LLC	3705 MCCARTY LN	Interior Remodel - Enterprise Rent-A-Car	2700.00
	Commercial		Lafayette, IN		
Status:Permit Issued	Contractor:		Estimated Value: \$126,882.00		
2016-00022512	1/13/2016	CAMPUS LIVING PROPERTIES LLC	1019 HOLLOWAY ST	Fire Repair - Apartment 6	1160.00
	Commercial		Lafayette, IN		
Status:Permit Issued	Contractor: Hays & Sons Construction Inc		Estimated Value: \$73,380.72		
2016-00022513	1/14/2016	PURDUE EMPLOYEES FEDERAL CREDIT UNION	4709 MEIJER CT	PEFCU - Interior Remodel	3742.00
	Commercial		Lafayette, IN		
Status:Permit Issued	Contractor: Tecton Construcion Management Inc		Estimated Value: \$590,600.00		
2016-00022514	1/15/2016	CLARKE BILL E JACQUELINE S	16 PRAIRIE CT	Residential Electric Rewire	
	Electrical		Lafayette, IN		
Status:Permit Issued	Contractor: Robert Alm		Estimated Value: \$950.00		

Total Permits: 7

Total Estimated Value: \$1,736,812.72
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Total Sq. Footage: 13,878.00
